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South Hackensack, with 140 members, was indicted along with the Hudson County Sanitation Association of Hoboken, with 15 members.

Also indicted were reputed organized crime leader Tino Flumara of Wyckoff, now serving a lengthy prison term for racketeering and extortion, and two of his associates, Michael Coppola of Newark and Lawrence Ricci of Elmwood Park.

Indictments also were returned against one of north Jersey's largest garbage haulers, Carmine Franco Inc. of Hillsdale, and the firm's president, Carmine Franco of Washington Township.

Association president

Franco is also president of the trade waste association. The indictment indicates, according to a state official who asked not to be named, that Flumara exerted control over the waste association through Franco. An indictment against Franco, his brother Salvatore, and four others for bilking Ramapo of \$70,000 in dump fees was returned by a Rockland County grand jury earlier this year but was dismissed by a county judge.

Also indicted was Browning-Ferris In-

Hauler indictments cast wide net

dustries, the Texas-based firm that contracted to run the Hackensack Meadows Development Commission's \$6.9-million garbage baler but then pulled out, apparently because it could not gain exemptions from pollution regulations. Several garbage hauling firms opposed the terms under which use of the baler was to be paid for.

And Duane Marine Salvage Corp., whose Perth Amboy facility was destroyed in a spectacular fire last July, was also indicted. The firm was indicted in September for dumping toxic chemicals into a sewer system and a landfill.

Altogether, the indicted companies account for some \$20 million a year in business, 15 percent of New Jersey's unglamorous but lucrative commercial garbage collection industry, which reportedly does at least \$144 million in business each year.

In North Jersey, where they accounted for 30 percent to 35 percent of the business, Degnan said, the defendants controlled the commercial garbage industry in Bergen, Passaic, Essex, Hudson, Morris, Somerset, Union, Middlesex, and Monmouth counties.

Though figures were not available, state officials said the collusive practices inflated the cost of commercial and industrial waste hauling, which is presumably passed to the consumer. "Certainly contracts are artificially high," said a state spokesman. "The contract prices have no relation to competition or to what the market will bear, because competition was removed as a factor."

A Bergen County restaurant owner and official of the New Jersey Restaurant Association, told of the indictments yesterday, said, "It's about time."

The official, who asked not to be quoted by name, said that about four years ago he had helped a man start a garbage hauling firm. "I invested in it," he said. "We thought it was worthwhile, that instead of paying \$45 to \$60 to have them pick up a load at that time, we could have it picked up for \$20."

"Within a year, the man's Lincoln Continental was burned. His two garbage trucks were also burned. People just don't go out and cross lines. If you think your prices are too high, you just can't go out and find somebody else."

Residential and municipal garbage

collection was not involved in Friday's charges. But records of all the state's 567 municipalities have been gathered, and the investigation is continuing. The probe began, said state spokesman Tom Cannon, with complaints from schools and municipalities that they could only get one bid for garbage contracts, or that bids came in the same, giving rise to suspicions that the bidding is rigged.

Three-year effort

The investigations took more than three years of combined efforts by state police, the state Criminal Justice Division's Antitrust, Organized Fraud, and Special Prosecutions sections, and the United States attorney's office. And in the end, Degnan said, it took an FBI informant who had attended secret meetings to allocate business and even taped some, to make the indictments possible.

In one case cited by state investigators, owners of Hollywood Memorial Park cemetery in Union canceled their contract with Browning-Ferris Industries because of a price increase and hired Statewide.

But a "grievance session" of industry

figures was immediately called at Snuffy's II Restaurant in Somerville to discuss such insurrection, the indictment charged.

According to the indictment, this is what followed:

A grievance committee that included Carmine Franco, associate Anthony Rizzo of Wayne, and other industry executives heard what Browning-Ferris claimed was a violation of property rights.

The code of the garbage industry, state law enforcement officials charge, dictates that once a garbage contractor handles a particular location, he gets to keep the contract — regardless of what the customer wants.

So the grievance committee worked out an arrangement to satisfy Browning-Ferris. Statewide told cemetery owners that the cost of garbage collection would go up about 50 percent, to about \$40 a container.

Bid submitted

Browning-Ferris, notified of the increase, immediately submitted a bid that was \$10 lower, and Hollywood Memorial

wound up back with its original company. But the indictment, without giving a figure, said that the price was higher. A blow for "property rights" had been struck.

Behind the system, law enforcement officials say, lay threats and use of physical force in a industry known for outbreaks of violence.

Two years ago, for example, there was a rash of garbage truck burnings in Morris, Middlesex, and Monmouth Counties. A Somerset County scavenger named Alfred DiNardi was found gunned down in Manhattan in June 1976. And a Monmouth County garbage collector was found murdered at his company offices.

And there was the threat that organized crime offenders might step in, according to Degnan.

A garbage collector named Anthony Tomae, a Trade Waste Association member, allegedly sought a buyer for his business a few years ago.

But Tino Flumara — reputedly involved with the Vito Conovese organized crime family — Michael Coppola, and Lawrence Ricci allegedly stepped in and told Tomae, through an unidentified third party, to sell his business to someone of their choosing.

Also contributing to this report were Staff Writers Michael Hoyt and Betsy Morris.

Names of those indicted in garbage crackdown

TRENTON (AP) — Here is a list of defendants in the antitrust indictment released Friday against garbage haulers serving a nine-county area:

Associations — New Jersey Trade Waste Association, South Hackensack, and Hudson County Sanitation Association, Hoboken.

Firms and officers or employees — Arace Brothers, East Orange, Frank Arace, partner; Bergen Disposal, Elmwood Park, Raymond Larger, president; Browning-Ferris Industries of Elizabeth, John Gentempo, vice-president; A. Capone Sanitation, Paterson; and Custom Disposal Service, Middlesex, John DiCanto, vice-president.

Also, Duane Marine Salvage, Perth Amboy, Ed Lecarreau, president, and Ronald Coelho, salesman; Five Brothers Carting, Jersey City, Paul D'Ambrosio, president; Carmine Franco & Co., Hillsdale, Carmine Franco, president; T. Farese & Sons, Belleville; and Highway Disposal, Garwood, Frank Intelisano, president.

Also, Haulaway Inc., Hoboken, Joseph Scugoza, president, ISA in New Jersey, Mahwah, Louis Mongelli, president; Inter County Refuse Service, South Branchburg, Louis Spiegel, president; M&V Dis-

posal, North Plainfield, Michael Impertico, vice-president; and Mauriello Disposal, East Orange, Mark Mauriello, vice-president.

Also, Metro Disposal, Keasby, Michael Grillo, president, and Anthony Scalfidi, vice-president; Modern Industrial Waste Service, Saddle Brook, Joseph Engravelle Jr., vice-president; Pinto Service, Lodi; A. Rizzo Carting, Wayne, Anthony Rizzo, president; and Louis T. Rochelle Inc., Livingston, Louis Rochelle, president.

Also, Statewide Environmental Contractors, South Plainfield, Charles Macaluso, president; Nicholas Enterprises, Paterson, Raymond Nicholas, president; Central Jersey Disposal Service, Anthony DiMardi Jr., employee; and Home & Industrial Disposal Service, Plainfield, Anthony Scioscia, partner.

Individuals — Philip Sabatelli, president of P&P Trucking Co., location unannounced; Tino Flumara, federal prison, Leavenworth, Kan.; Michael Coppola, federal prison, Ashland, Ky.; and Lawrence Ricci, awaiting federal prison assignment.

Sole proprietorships — Jack Argento, Argento Disposal, Plainfield; Carmine Chiullo, Paterson; and Frank Notarangelo, Frank Notarangelo Carting Service, Montvale.